

**REMARKS**

The Application has been carefully reviewed in light of the Office Action mailed January 30, 2004 by the Office. At the time of this Office Action, Claims 1-23 were pending in the Application, of which Claims 1-23 were rejected. In order to overcome the rejections and objections asserted by the Office and to advance prosecution of this case, Claims 1, 2, 5, 9, 16 and 22 have been amended, Claims 12-15 have been canceled, the specification have been amended and corrected drawings have been submitted. It is believed that the amended claims do not involve any introduction of new matters, whereby entry is believed to be in order and is respectfully requested. The Applicant respectfully requests reconsideration and favorable action in this case.

The following actions were taken or matters raised: (I) the drawings were objected to for specified informalities; (II) the specification was objected to for specified informalities; (III) Claims 1-11 and 16-23 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; (IV) Claims 1-3, 9, 10, 12-17 and 22-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ristau et al. ("Digital Filtering of 2-D Spatial Data Using Modified Local Statistics"); (V) Claims 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ristau as applied in Claim 1, and further in view of Cok (US Patent No. 5,264,924); (VI) Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ristau as applied in Claim 10, and further in view of Cok (US Patent No. 5,264,924); and Claims

18-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ristau as applied in Claim 17, and further in view of Gray et al. (US Patent No. 5,641,596).

**I. Objection To Drawings**

In order to overcome the objections to the drawings, legible drawings have been submitted and appropriate portions of the specification have been amended.

**II. Objection To Specification**

The specification has been amended to overcome cited and other identified informalities.

**III. Claims Rejected Under 35 U.S.C. 112**

Claim 1, 2, 5, 16 and 22 have been amended to overcome the rejection under 35 U.S.C. 112, second paragraph. With respect to objections of Claims 1, 4, 9, 10, 16-20 and 22 as being indefinite in view of the description of the method of “guiding”, the Applicant respectfully submits that such objections are overcome in view of the amendments to the claims, amendments to the specification and the related description of Figures 5 and 6.

**IV. Claims Rejected Under 35 U.S.C. 102**

The Office has rejected Claims 1-3, 9, 10, 12-17 and 22-23 under 35 U.S.C. § 102(b) as being anticipated by Ristau et al (“Digital Filtering of 2-D Spatial Data Using Modified Local Statistics”). Amended independent Claim 1, 5, 16, and 22, and hence all

claims dependent thereon, include novel physical features that provide new and advantageous results in view of Ristau et al, making such claims novel and non-obvious and, thus, patentable over Ristau. Accordingly, the Applicant submits that the rejection under 35 U.S.C. § 102(b) applied to Claims 1-3, 9, 10, 12-17 and 22-23 is overcome and respectfully requests the Office to withdraw the rejection of Claims 1-3, 9, 10, 12-17 and 22-23 under 35 U.S.C. § 102(b) as being anticipated by Ristau et al.

As amended, Claim 1 recites a method of blurring a digital image comprising the steps of separating the digital image into noisy artifacts and less noisy artifacts, averaging magnitude of a multi-pixel detail of said less noisy artifacts over a spatial range for a pixel of the digital image and guiding magnitude of a multi-pixel detail of at least one of the noisy artifacts by magnitude of a multi-pixel detail of at least one of said less noisy artifacts in the step of averaging. Claim 1 further recites that the multi-pixel detail of said at least one of the noisy artifact corresponds to the multi-pixel detail of said less noisy artifacts.

As amended, Claim 9 recites a method of blurring comprising the step of guiding magnitude of a multi-pixel detail of a noisy artifact by magnitude of a multi-pixel detail of a less noisy artifact. Claim 9 further recites that said guiding is performed dependent upon averaging said magnitude of the multi-pixel detail of the less noisy artifact over a spatial range for a pixel of the digital image.

As amended, claim 16 recites a method of signal processing, comprising the steps of deriving a noisy artifact and a less noisy artifact from an analog signal; and guiding magnitude of a multi-pixel detail of the noisy artifact by magnitude of a corresponding multi-pixel detail of the less noisy artifact.

As amended, claim 22 recites a system for blurring comprising a noisy artifact, a less noisy artifact, and a computer for guiding the noisy artifact by the less noisy artifact. Spatial locations of the less noisy artifact corresponds to locations of the noisy artifact. The computer is configured for averaging magnitude of a multi-pixel detail of the less noisy artifact over a spatial range for a pixel of the digital image and for guiding magnitude of a multi-pixel detail of the noisy artifact by magnitude of a multi-pixel detail of the less noisy artifact in relation to said averaging, wherein the multi-pixel detail of the noisy artifact corresponds to the multi-pixel detail of the less noisy artifact.

The methods and/or system recited in amended claim 1, 9, 16 and 22, and thus all claims dependent thereon, exhibit physical and functional distinctions that are advantageous and non-obvious in view of Ristau. One example of such advantages and non-obviousness is that averaging and/or guiding is dependent upon magnitude of multi-pixel details. Another example of such advantages and non-obviousness is that multi-pixel detail of at least one of noisy artifact corresponds to a multi-pixel detail of at least one of less noisy artifacts. Ristau does not disclose or teach steps and/or system components that provide such physical and functional distinctions.


**V. Claims Rejected Under 35 U.S.C. 103**

Under 35 U.S.C. § 103(a), the Office has rejected (I) Claims 4 as being unpatentable over Ristau as applied to Claim 1 and further in view of Cok; (II) Claim 11 as being unpatentable over Ristau as applied to Claim 10 and further in view of Cok and (III) Claims 18-21 as being unpatentable over Ristau as applied to Claim 17 and further in view of Gray et al. In view of the amendments and remarks made above in response to claims 1, 9 and 16, the Applicant submits that the rejections herein under 35 U.S.C. § 103(a) are overcome.

**CONCLUSION**

The Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for reasons clearly apparent, the Applicant respectfully requests full allowance of all pending claims. If there are any matters that can be discussed by telephone to further the prosecution of the Application, the Applicant invites the Examiner to contact the undersigned at 512-372-8240 at the Examiner's convenience.

Respectfully Submitted,  
Albert D. Edgar

By:   
Raymond M. Galasso  
Reg. No. 37,832

Simon, Galasso & Frantz PLC  
P.O. Box 26503  
Austin, Texas 78755-0503  
Telephone: (512) 372-8240  
Facsimile: (512) 372-8247